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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JUAN LUIS SOSA TAMAYO,

Defendant.

2:20-CR-194-JAD-DJA

Preliminary Order of Forfeiture

This Court finds Juan Luis Sosa Tamayo pled guilty to Counts One, Five, and Ten of a Ten-Count Criminal Indictment charging him in Count One with conspiracy to commit access device fraud in violation of 18 U.S.C. § 371 and 18 U.S.C. § 1029(a)(2) and (a)(3); in Count Five with use of unauthorized access devices in violation of 18 U.S.C. § 1029(a)(2); and in Count Ten with aggravated identity theft in violation of 18 U.S.C. § 1028A(a)(1) with 1028A(c)(4). Criminal Indictment, ECF No. 1; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds Juan Luis Sosa Tamayo agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment. Criminal Indictment, ECF No. 1; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds, under Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and Forfeiture Allegation of the Criminal Indictment and the offenses to which Juan Luis Sosa Tamayo pled guilty.

The following property is (1) any property, real or personal, which constitutes or is derived from proceeds traceable to violations of 18 U.S.C. §§ 1029(a)(2), 1029(a)(3), and

1 1028A(a)(1) with 1028A(c)(4), or 18 U.S.C. § 371, conspiracy to commit such offenses; (2)
2 any property constituting, or derived from, proceeds obtained directly or indirectly, as the
3 result of violations of 18 U.S.C. §§ 1029(a)(2), 1029(a)(3), and 1028A(a)(1) with
4 1028A(c)(4), or 18 U.S.C. § 371, conspiracy to commit such offenses; or (3) any personal
5 property used or intended to be used to commit the violation of 18 U.S.C. §§ 1029(a)(2),
6 1029(a)(3), and 1028A(a)(1) with 1028A(c)(4) and are subject to forfeiture pursuant to 18
7 U.S.C. § 981(a)(1)(C) with 28 U.S.C. § 2461(c); 18 U.S.C. § 982(a)(2)(B); and 18 U.S.C. §
8 1029(c)(1)(C) with 1029(c)(2):

9 1. Any and all skimming devices including, but not limited to:

- 10 a. GOOUUU Tech Skimmer, Model 10T-GA6-B, Serial Number
11 GPRS201810192049-1;
- 12 b. GOOUUU Tech Skimmer, Model 10T-GA6-B, Serial Number
13 GPRS201810192049-2;
- 14 c. GOOUUU Tech Skimmer, Model 10T-GA6-B, Serial Number
15 GPRS201810192049-4;
- 16 d. GOOUUU Tech Skimmer, Model 10T-GA6-B, Serial Number
17 GPRS201810192049-5;
- 18 e. GOOUUU Tech Skimmer, Model 10T-GA6-B, Serial Number
19 GPRS201810192049-6;
- 20 f. GOOUUU Tech Skimmer, Model 10T-GA6-B, Serial Number
21 GPRS201810192049-7;
- 22 g. GOOUUU Tech Skimmer, Model 10T-GA6-B, Serial Number
23 GPRS201810192049-8;
- 24 h. GOOUUU Tech Skimmer, Model 10T-GA6-B, Serial Number
25 GPRS201810192049-9;
- 26 i. GOOUUU Tech Skimmer, Model 10T-GA6-B, Serial Number
27 GPRS201810192049-10;

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- j. GOOUUU Tech Skimmer, Model 10T-GA6-B, Serial Number GPRS201903091509;
- k. Multiple GOOUUU Tech Skimmers, Model 10T-GA6-B, Unknown Serial Number;
- l. GOOUUU Tech Skimmer, Unknown Model, Unknown Serial Number;
- m. Roving Skimmer, Unknown Model, Serial Number 00:06:66:D4:26:87;
- n. Roving Skimmer, Unknown Model, Serial Number 00:06:66:E3:DC:EF;
- o. Roving Skimmer, Unknown Model, Serial Number 00:06:66:E3:DC:FE;
- p. Roving Skimmer, Unknown Model, Serial Number 00:06:66:E4:00:3B;
- q. Roving Skimmer, Unknown Model, Serial Number 00:06:66:E4:02:56;
- r. Roving Skimmer, Unknown Model, Serial Number 00:06:66:E4:02:57;
- s. Roving Skimmer, Unknown Model, Serial Number 00:06:66:E4:02:58;
- t. Roving Skimmer, Unknown Model, Serial Number 00:06:66:E4:02:92;
- u. Roving Skimmer, Unknown Model, Serial Number 00:06:66:E4:02:96;
- v. Roving Skimmer, Unknown Model, Serial Number 00:06:66:E7:B6:6F;
- w. Roving Skimmer, Unknown Model, Serial Number 00:06:66:EC:03:09;
- x. Roving Skimmer, Unknown Model, Serial Number 00:06:66:EC:05:02;
- y. Roving Skimmer, Unknown Model, Serial Number 00:06:66:EC:25:FE;
- z. Roving Skimmer, Unknown Model, Serial Number 00:06:66:EC:26:06;
- aa. Roving Skimmer, Unknown Model, Serial Number 00:06:66:EC:26:8F;
- bb. Roving Skimmer, Unknown Model, Serial Number 00:06:66:F0:71:DC;
- cc. Roving Skimmer, Unknown Model, Serial Number 00:06:66:F0:7B:5E;
- dd. Roving Skimmer, Unknown Model, Serial Number 00:06:66:F0:7B:8B;
- ee. Roving Skimmer, Unknown Model, Serial Number 00:06:66:F0:7B:F;
- ff. Roving Skimmer, Unknown Model, Serial Number 00:06:66:F0:7B:86;
- gg. Roving Skimmer, Unknown Model, Serial Number 00:06:66:F0:7E:D9;
- hh. Roving Skimmer, Unknown Model, Serial Number 00:06:66:F0:8C:DA;
- ii. Roving Skimmer, Unknown Model, Serial Number 00:06:66:F0:8C:F9;

1 jj. Roving Skimmer, Unknown Model, Serial Number 00:06:66:F0:94:56;
 2 kk. Roving Skimmer, Unknown Model, Serial Number 00:06:66:F0:94:94;
 3 ll. Roving Skimmer, Unknown Model, Serial Number 00:06:66:F0:94:95;
 4 mm. Roving Skimmer, Unknown Model, Serial Number 00:06:66:F0:94:97
 5 nn. Multiple Roving Skimmers, Model RN42 BT, Unknown serial numbers;
 6 oo. Multiple Roving Skimmers, Unknown Model, Unknown serial numbers;
 7 pp. Unknown Type Skimmer, Unknown Model, Serial Number
 8 00:06:66:F0:94:54;
 9 qq. Unknown Type Skimmer, Unknown Model, Serial Number RNBT04E0;
 10 rr. Unknown Type Skimmer, Unknown Model, Serial Number RNBT04E1;
 11 ss. Unknown Type Skimmer, Unknown Model, Serial Number RNBT04E2;
 12 tt. Unknown Type Skimmer, Unknown Model, Serial Number RNBT64BC;
 13 uu. Unknown Type Skimmer, Unknown Model, Serial Number RNBT9864;
 14 vv. Unknown Type Skimmer, Unknown Model, Serial Number RNBT9AB3;
 15 ww. Unknown Type Skimmer, Unknown Model, Serial Number RNBTA300;
 16 xx. Unknown Type Skimmer, Unknown Model, Serial Number RNBTA340;
 17 yy. Unknown Type Skimmer, Unknown Model, Serial Number RNBTA342;
 18 zz. Unknown Type Skimmer with R Logo, Unknown Model, Unknown Serial
 19 Number; and
 20 aaa. Multiple Unknown Type Skimmers, Unknown Model, Unknown Serial
 21 Numbers
 22 (all of which constitutes property).

23 This Court finds that on the government's motion, the Court may at any time enter
 24 an order of forfeiture or amend an existing order of forfeiture to include subsequently
 25 located property or substitute property under Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

26 This Court finds the United States of America is now entitled to, and should, reduce
 27 the aforementioned property to the possession of the United States of America.

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1 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
2 DECREED that the United States of America should seize the aforementioned property.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
4 rights, ownership rights, and all rights, titles, and interests of Juan Luis Sosa Tamayo in the
5 aforementioned property are forfeited and are vested in the United States of America and
6 shall be safely held by the United States of America until further order of the Court.

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
8 of America shall publish for at least thirty (30) consecutive days on the official internet
9 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
10 describe the forfeited property, state the times under the applicable statute when a petition
11 contesting the forfeiture must be filed, and state the name and contact information for the
12 government attorney to be served with the petition, under Fed. R. Crim. P. 32.2(b)(6).

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
14 or entity who claims an interest in the forfeited property must file a petition for a hearing to
15 adjudicate the validity of the petitioner's alleged interest in the property under 21 U.S.C. §
16 853(n)(2), which petition shall be signed by the petitioner under penalty of perjury under 21
17 U.S.C. § 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the
18 petitioner's right, title, or interest in the property, the time and circumstances of the
19 petitioner's acquisition of the right, title or interest in the property, any additional facts
20 supporting the petitioner's claim, and the relief sought.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
22 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,
23 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was
24 not sent, no later than sixty (60) days after the first day of the publication on the official
25 internet government forfeiture site, www.forfeiture.gov, whichever is earlier.

26 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
27 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
28 Attorney's Office at the following address at the time of filing:

1 Daniel D. Hollingsworth
2 Assistant United States Attorney
3 501 Las Vegas Boulevard South, Suite 1100
4 Las Vegas, Nevada 89101.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
6 described herein need not be published in the event a Declaration of Forfeiture is issued by
7 the appropriate agency following publication of notice of seizure and intent to
8 administratively forfeit the above-described property.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
10 copies of this Order to all counsel of record.

11 DATED: September 14, 2022.

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14 JENNIFER A. DORSEY
15 UNITED STATES DISTRICT JUDGE
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